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GOVERNOR



MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

## State Water Resources Control Board

Division of Drinking Water

August 1, 2016

Mr. Ernest Bellezza  
Garlic Country Golf, Inc.  
820 Las Animas Avenue  
Gilroy, CA 95020

**CITATION NO. 02\_17\_16C\_023**  
**TOTAL COLIFORM MONITORING VIOLATION**  
**GARLIC COUNTRY GOLF, INC., WATER SYSTEM NO. 4300989**

Dear Mr. Bellezza:

Enclosed is a citation issued to Garlic Country Golf, Inc. (hereafter, Water System or GCG). The citation is issued as the Water System failed to comply with Section 64423 (a)(3), Chapter 15, Title 22, California Code of Regulations (CCR). Routine total coliform monitoring was not performed as required in the second quarter of 2016.

If you have any questions regarding this letter, please contact Jose P. Lozano IV, P.E. at (510) 620-3459 or me at (510) 620-3453.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric Lacy".

Eric Lacy, P.E.  
District Engineer  
Santa Clara District  
Division of Drinking Water  
State Water Resources Control Board

Enclosures: 1) Sample Notice (Attachment A)  
2) Proof of Notification (Attachment B)

Certified Mail 7015 1730 0000 9907 7343

cc: Santa Clara County Environmental Health Department (w/ encl.)

STATE OF CALIFORNIA  
WATER RESOURCES CONTROL BOARD  
DIVISION OF DRINKING WATER

TO: Garlic Country Golf, Inc.  
Water System No. 4300989  
820 Las Animas Avenue  
Gilroy, CA 95020

ATTN: Mr. Ernest Bellezza  
Garlic Country Golf, Inc.  
820 Las Animas Avenue  
Gilroy, CA 95020

CITATION FOR VIOLATION OF CALIFORNIA CODE OF REGULATIONS, TITLE 22,  
SECTION 64423 (a)(3) – WATER SYSTEM NO. 4300989

CITATION NO. 02\_17\_16C\_023

Issued on August 1, 2016

Section 116650 of the California Health and Safety Code authorizes the issuance of a citation to a public water system for violation of the California Safe Drinking Water Act (Health and Safety Code, Division 104, Part 12, Chapter 4, commencing with Section 116270) (hereinafter "California SDWA"), or any regulation, standard, permit or order issued or adopted thereunder.

The State Water Resources Control Board, acting by and through its Division of Drinking Water (hereinafter "Division" or "DDW") and the Deputy Director for the Division (hereinafter "Deputy Director"), hereby issues a citation to Garlic Country Golf, Inc. (hereinafter, "GCG" or



1 "Water System") (mailing address: 820 Las Animas Avenue, Gilroy, CA 95020) for violation  
2 of California Code of Regulations (CCR), Title 22, Sections 64423 (a)(3).  
3  
4  
5

6 **APPLICABLE AUTHORITIES**

7 **Section 116650 of California Health and Safety Code provides:**

8 (a) If the department determines that a public water system is in violation of  
9 this chapter or any regulation, permit, standard, citation, or order issued or adopted  
10 thereunder, the department may issue a citation to the public water system. The citation shall  
11 be served upon the public water system personally or by certified mail. Service shall be  
12 deemed effective as of the date of personal service or the date of receipt of the certified mail.  
13 If a person to whom a citation is directed refuses to accept delivery of the certified mail, the  
14 date of service shall be deemed to be the date of mailing.

15 (b) Each citation shall be in writing and shall describe the nature of the  
16 violation or violations, including a reference to the statutory provision, standard, order,  
17 citation, permit, or regulation alleged to have been violated.

18 (c) A citation may specify a date for elimination or correction of the condition  
19 constituting the violation.

20 (d) A citation may include the assessment of a penalty as specified in  
21 subdivision (e).

22 (e) The department may assess a penalty in an amount not to exceed one  
23 thousand dollars (\$1,000) per day for each day that a violation occurred, and for each day  
24 that a violation continues to occur. A separate penalty may be assessed for each violation.  
25  
26  
27



1 California Code of Regulations, Title 22, Section 64423 (a)(3) provides, in relevant part:

2  
3 The minimum number of samples for transient-noncommunity water systems using  
4 groundwater and serving 1000 or fewer persons a month shall be one in each calendar  
5 quarter during which the system provides water to the public. .

6  
7  
8 **STATEMENT OF FACTS**

9 GCG is a transient non-community (TNC) water system, located at 820 Las Animas Avenue  
10 in Gilroy, which serves domestic water to a golf driving range and a pro shop that sells  
11 packaged foods and golf accessories and has two restroom facilities. According to the  
12 domestic water system permit issued to GCG on July 22, 2009, the water system serves  
13 approximately 30 persons on any given day. GCG's water system consists of a well (Well  
14 01; Primary Station Code (PSC) No. 4300989-001), a hydropneumatic pressure tank and a  
15 distribution system.

16  
17 Based on the approved bacteriological sample siting plan (BSSP), GCG is required to collect  
18 and have analyzed a minimum of one sample every three months for bacteriological quality  
19 from the distribution system. During the second quarter monitoring period of April 1, 2016,  
20 through June 30, 2016, the Water System failed to collect the required one routine sample.  
21 This resulted in a violation of Section 64423 (a) (3), Title 22, CCR.

22  
23  
24 **DETERMINATION**

25  
26 The Division has determined that GCG failed to take and report the required number of  
27 routine bacteriological samples during the second quarter monitoring period of April 1, 2016,



1 through June 30, 2016. The Division consequently notified the Water System, by telephone  
2 on July 19, 2016, of the bacteriological monitoring and procedural violation.  
3  
4

5 **DIRECTIVES**

6 GCG is hereby directed to take the following actions:

- 7 1) Forthwith, GGC shall cease and desist from failing to comply with Subsection 64423  
8 (a)(3), Chapter 15, Title 22, CCR immediately.  
9  
10 2) GGC shall conduct public notification, using the Division-approved notice in conformance  
11 with Section 64463.7, Chapter 15, Title 22, CCR within thirty days upon receipt of this  
12 citation. The notification shall be performed by posting in conspicuous public places  
13 served by the water system.  
14  
15 A sample copy of public notification for your use in notifying the public is enclosed for  
16 your reference and use (Attachment A). Division approval of the proposed notice is  
17 required prior to performing notification. Proof of notification must be provided to the  
18 Division. This can be met by submitting a completed Proof of Notification form  
19 (Attachment B). A copy of the notice used shall be attached to the Proof of Notification  
20 form.  
21  
22 3) Prepare a written Corrective Action Plan that describes the specific actions that will be  
23 taken by Water System personnel to ensure that future bacteriological sampling and  
24 reporting procedural violations will not occur. Submit the report to the Division by  
25 September 5, 2016.  
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27



1 The Division reserves the right to make such modifications to this Citation as it may deem  
2 necessary to protect public health and safety. Such modifications may be issued as  
3 amendments to this Citation, and shall be deemed effective upon issuance.

4  
5 Nothing in this Citation relieves GCG of its obligation to meet the requirements of the  
6 California Safe Drinking Water Act, or of any regulation, permit, standard, or order issued or  
7 adopted thereunder.

8  
9  
10 All submittals required by this Citation shall be submitted to the Division at the following  
11 address:

12  
13 Mr. Eric Lacy, P.E., District Engineer  
14 Santa Clara District  
15 Division of Drinking Water  
16 State Water Resources Control Board  
17 850 Marina Bay Parkway, Building P, Second Floor  
18 Richmond, CA 94804

19 **PARTIES BOUND**

20 This Citation shall apply to and be binding upon GCG, its officers, directors, shareholders,  
21 agents, employees, contractors, successors, and assignees.

22  
23 **SEVERABILITY**

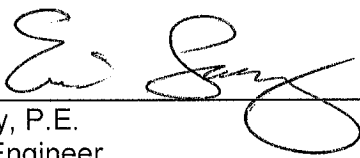
24 The Directives of this Citation are severable, and GCG shall comply with each and every  
25 provision thereof, notwithstanding the effectiveness of any other provision.  
26  
27



**FURTHER ENFORCEMENT ACTION**

The California SDWA authorizes the Division to: issue citation with assessment of administrative penalties to a public water system for violation or continued violation of the requirements of the California SDWA or any permit, regulation, or order issued or adopted thereunder including, but not limited to, failure to correct a violation identified in a citation or compliance order. The California SDWA also authorizes the Division to take action to suspend or revoke a permit that has been issued to a public water system if the system has violated applicable law or regulations or has failed to comply with an order of the Division; and to petition the superior court to take various enforcement measures against a public water system that has failed to comply with violates an order of the Division. The Division does not waive any further enforcement action by issuance of this citation.

August 1, 2016  
Date

  
Eric Lacy, P.E.  
District Engineer  
Santa Clara District  
Division of Drinking Water  
State Water Resources Control Board

Attachments

CERTIFIED MAIL # 7015 1730 0000 9907 7343

cc: Santa Clara County Environmental Health Department (w/ attachments)



ATTACHMENT A

**IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER**

Este informe contiene información muy importante sobre su agua potable.

Tradúzcalo o hable con alguien que lo entienda bien.

**Monitoring Requirements Not Met in the Second Quarter Monitoring Period from April 1, 2016 to June 30, 2016 for**

**Garlic Country Golf, Inc., Water System No. 4300989**

Our system recently failed to collect the correct number of drinking water samples. Although this incident was not an emergency, as our customers, you have a right to know what you should do, what happened, and what we did (are doing) to correct this situation.

*We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not our drinking water meets health standards. We are required to collect one (1) bacteriological sample every three months. During the second quarter monitoring period of April 1, 2016, through June 30, 2016, we failed to collect the required number of bacteriological samples. As a result, we cannot be sure of the quality of our drinking water during that time period.*

**What should I do?**

- There is nothing you need to do at this time.
- The table below lists the contaminant(s) we did not properly test for during the second quarter monitoring period of April 1, 2016, through June 30, 2016, how many samples we are required to take and how often, how many samples we took, when samples should have been taken, and the date on which follow-up samples will be taken.

<i>Contaminant</i>	<i>Required Number of Samples</i>	<i>Number of Samples Taken</i>	<i>When All Samples Should Have Been Taken</i>	<i>When Samples Were Taken</i>
Total coliform bacteria	One routine/every three months	None	Second quarter monitoring period of April 1, 2016, through June 30, 2016	July 12, 2016

- If you have health issues concerning the consumption of this water, you may wish to consult your doctor.

**What happened? What is being done?**

[Describe corrective action].

For more information, please contact Ernest Bellezza at (408) 842-5513 or 820 Las Animas Avenue, Gilroy, CA 95020

This notice is being posted by Garlic Country Golf, Inc..

State Water System ID#: 4300989. Date distributed: \_\_\_\_\_.



**PROOF OF NOTIFICATION**

**Citation Number 02\_17\_16C\_023**

Garlic Country Golf, Inc.  
System Number: 4300989

As required by Section 116450 of the California Health and Safety Code, I notified the users of the water supplied by the Garlic Country Golf, Inc. (GCG) of the violations of Title 22, California Code of Regulations (CCR) for the second quarter of 2016. I complied with the directives of this citation as indicated below:

Required Action

Date  
Completed

Conduct Public Notification – (Attach copy of the notice(s) used.)

Submit Corrective Action Plan


\_\_\_\_\_  
Signature of Water System Representative

\_\_\_\_\_  
Date

**THIS FORM MUST BE COMPLETED AND RETURNED TO THE SWRCB DIVISION OF DRINKING WATER. A COPY OF THE POSTED NOTICE MUST BE ATTACHED TO THIS FORM.**

**Disclosure:** Be advised that Section 116725 and 116730 of the California Health and Safety Code states that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the attached citation may be liable for a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation for each day that violation continues. In addition, the violators may be prosecuted in criminal court and upon conviction, be punished by a fine of not more than \$25,000 for each day of violation, or be imprisoned in county jail not to exceed one year, or by both the fine and imprisonment.